

Zoning Permits Fences and Retaining Walls

Fences and retaining walls on private property are regulated by the Zoning Code. Masonry construction such as bricks and stucco is also subject to the building code (click here for the Building Permits).

Permit Requirements by height

The allowable fence and wall height depends on the zone district in which the property is located. Click here to see the regulations by zone district. (Reminder, masonry fences and walls of any height require a building permit.)

- **Under 4 feet** (<48 inches): does NOT require a zoning permit.
- **4 to 6 feet** (48 to 72 inches): requires approval of a zoning construction and use permit (Form 21). Contact the Permit Counter, click here for assistance.
- **Overheight fence:** above the allowed height (unless specifically excepted) is subject to administrative review, click here for more information below.
- **Regulated exceptions:** For any of the overheight exceptions found in the Zoning Ordinance, such as, but not limited to: Retaining walls abutting public rights-of-way; Schools, public parks and/or playgrounds around schools; Corner zone lots; or industrial areas, contact the Permit Counter, click here for assistance.
- **PBG, where allowed-** Height to 7 ft: Sec. 59-517 (a) (waives) the regulation governing the location of all fences, walls and retaining walls, provided such structures do not exceed seven feet in height. These are subject to site plan approval; link to Article VIII Planned Building Groups



Overheight Fences

The administrative review of overheight fences is regulated by Section 59-38 (11) of the Zoning Code. "Notwithstanding the regulations limiting the height of fences and walls established by the zoning ordinances, the zoning administrator may grant a permit for overheight fences and walls upon application in specific cases providing the following procedure and the provisions of section 59-41(b) are followed:

- In deciding to approve or disapprove the application, the zoning administrator may approve the application providing a finding is made that:
 - The proposed fence or wall will not adversely affect traffic safety or appropriate use of adjacent property.
 - An overheight fence in the front setback is less than fifty (50) percent solid over it's entire area;
 - The fence is necessary to provide security, privacy, or protection from traffic impacts such as noise or lights;
 - The fence is not out of scale with other fencing on the block, and;
 - The fence does not detract from the safety or pedestrian character of the right-of-way.
- Special consideration shall be given to applicants seeking permits for eight (8) foot overheight fences due to the requirements of section 8-52 (Dangerous dogs).

To apply for the administrative review:

- Contact the Permit Counter or the staff person responsible for the Overheight reviews, click here to see the Contact Us list.
- Prepare a permit application; click here for the form. The application also details the neighborhood notification requirements.
- Submit the application to the Permit Counter.
- The fee for the permit is \$100.
- Masonry fences also require a building permit.

Related Zoning Code provisions:

- Sec. 59-95. Fence and wall materials near a residential district. (within 200 feet), click here
- Section 59-26 (d) zoning permit to erect or alter structure, click here
- Quick Links to all development standards in the Zoning Code, click here

